
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

THOMAS ROY WILCOX,

Plaintiff,

versus

ORANGE COUNTY, TEXAS, *et al.*,

Defendants.

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CIVIL ACTION NO. 1:18-CV-323

MEMORANDUM ORDER OVERRULING OBJECTIONS AND ADOPTING
THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Thomas Roy Wilcox, proceeding *pro se*, filed the above-styled civil rights lawsuit against Dennis Powell, the Orange County Correctional Facility and Rex Peveto pursuant to 42 U.S.C. § 1983. The court previously referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, for consideration pursuant to 28 U.S.C. § 636 and orders of this court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge recommending this case be dismissed for failure to state a claim upon which relief may be granted.

The court has received the Report and Recommendation, along with the record, pleadings, and all available evidence. Plaintiff filed objections to the magistrate judge's Report and Recommendation.

The court has conducted a *de novo* review of the objections in relation to the pleadings and the applicable law. After careful consideration, the court is of the opinion the objections are without merit. Plaintiff's allegations fail to establish a basis under which any of the named defendants could be liable in a lawsuit brought pursuant to Section 1983. He has therefore failed to state a claim upon which relief may be granted.

ORDER

Accordingly, the objections filed by plaintiff are OVERRULED. The findings of fact and conclusions of law set forth in the report of the magistrate judge are correct, and the report of the magistrate judge is ADOPTED. A final judgment shall be entered dismissing this lawsuit.

SIGNED at Beaumont, Texas, this 15th day of April, 2020.



MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE